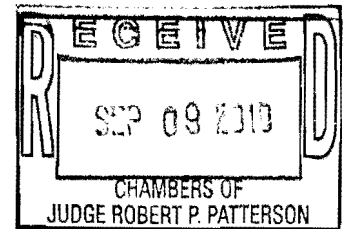


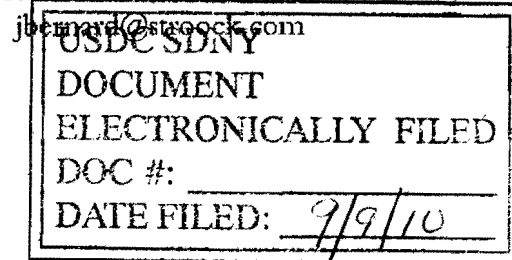
STROOCK

MEMO ENDORSED  
September 9, 2010

By Fax

Hon. Robert P. Patterson  
United States District Judge  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York, New York 10007

James L. Bernard  
Direct Dial 212-806-5684  
Direct Fax 212-806-2684  
jbernard@stroock.com




Re: Levin v. Bank of New York, Case No. 09 Civ. 5900 (RPP) (S.D.N.Y.)

Dear Judge Patterson:

We represent the Greenbaum and Acosta third-party defendants in the above-referenced action. We write regarding Your Honor's memo endorsement earlier today granting JPMorgan Chase Bank, N.A. and The Bank of New York Mellon's request for an extension of time to submit briefs in connection with the Levin Plaintiffs' motion for summary judgment. Although we believe that this new schedule should apply to all parties, for the avoidance of any doubt, and because the banks' letter did not refer to the third-party defendants, we write to confirm that the new schedule should apply to all parties in this action, including the third-party defendants.

Respectfully submitted,

  
James L. Bernard

cc: J. Kelley Nevling, Jr., Esq. (by e-mail)  
Suzelle M. Smith, Esq. (by e-mail)  
Sharon L. Schneier, Esq. (by e-mail)  
Mark G. Hanchet, Esq. (by e-mail)  
Christopher J. Houpt, Esq. (by e-mail)

*Application denied  
It is one thing to read four  
briefs immediately before argument.  
It is quite another to read all  
the briefs in that short space of  
time.*

*So ordered*  
*Robert P. Patterson*

See attached typewritten  
Memo Endorsement

Hon. Robert P. Patterson  
September 9, 2010  
Page 2

Noel J. Nudelman, Esq. (by e-mail)  
Richard M. Kremen, Esq. (by e-mail)  
Liviu Vogel, Esq. (by e-mail)  
Annie Pennock Kaplan, Esq. (by e-mail)  
Robert J. Tolchin, Esq. (by e-mail)  
George M. Chalos, Esq. (by e-mail)  
John J. Hay, Esq. (by e-mail)  
George F. Hritz, Esq. (by e-mail)  
Jonathan G. Kortmansky, Esq. (by e-mail)  
Jeffrey L. Nagel, Esq. (by e-mail)

Case: Levin v. Bank of New York, et al.  
Index No. 09 Civ. 5900 (RPP)

**MEMO ENDORSEMENT READS:**

**Application denied.**

**It is one thing to read four briefs immediately before argument. It is quite another to read all the briefs in that short space of time.**

**So Ordered.**

***Robert P. Patterson, Jr., U.S.D.J., 9/9/10***